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Filing date: **07/19/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91166487
Party	Plaintiff Hasbro, Inc.
Correspondence Address	KIM J. LANDSMAN PATTERSON BELKNAP WEBB & TYLER LLP 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036-6710 UNITED STATES IPDOCKETING@PBWT.COM,kjlandsman@pbwt.com,cfrost@pbwt.com
Submission	Other Motions/Papers
Filer's Name	Kim J. Landsman
Filer's e-mail	IPDOCKETING@PBWT.COM, KJLANDSMAN@PBWT.COM, CFROST@PBWT.COM, PORTER@PORTERPATENTLAW.COM
Signature	/Kim J. Landsman/
Date	07/19/2011
Attachments	Hasbro0.pdf (4 pages)(103042 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 78/359,895
Filed: January 30, 2004
For the Mark: MEMORY MAGIC in International Class 28
Published in the Official Gazette: May 10, 2005 at TM 330

HASBRO, INC.

Opposer,

v.

CREATIVE ACTION LLC,

Applicant.

Opposition No. 91/166,487

**STIPULATION TO AMEND APPLICATION
AND DISMISS OPPOSITION AND COUNTERCLAIMS**

Opposer Hasbro, Inc. ("Opposer") and Applicant Creative Action LLC ("Applicant") (collectively, the "Parties"), by their attorneys, hereby stipulate to Applicant's amendment to the classification of Application Serial No. 78/359,895 for the mark MEMORY MAGIC from International Class 28 to International Class 10. The Parties further stipulate to Applicant's amendment to the identification of goods in Application Serial No. 78/359,895; to delete the existing identification and substitute the following:

Class 10 - therapeutic activity and program materials for individuals and groups of people with cognitive impairments such as dementia, head trauma or stroke living in long term care facilities, attending adult day care centers, living at home, or staying in hospitals, comprised of printed "calling" cards that contain trivia questions and related prompts for discussion, printed cards that contain an array of potential answers to the trivia questions, and boards used to hold the printed answer cards.

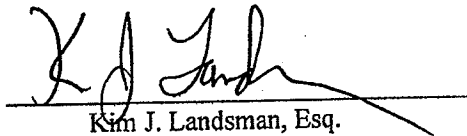
The proposed amendment is limiting in nature, and thus in compliance with Trademark Rules 2.71 and 2.75. Opposer consents to entry of the above amendment in accordance with Trademark Rule 2.133.

Contingent upon the Board's entry of Applicant's amendment to the classification and identification of goods in Application Serial No. 78/359,895, the Parties stipulate to the dismissal of the opposition and all counterclaims with prejudice. The Parties respectfully request that all proceedings be suspended pending disposition of the above requests.

Finally, if the Board denies the above requests for any reason, the Parties respectfully request an extension of all deadlines for a period of sixty (60) days so that the Parties may meet and confer about the Board's order, settlement, and possible revisions to the proposed identification of goods to comply with the Board's order.

Dated: July 19, 2011

Respectfully submitted,

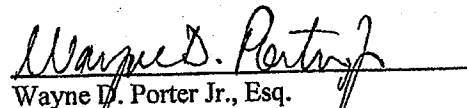


Kim J. Landsman, Esq.

Claire D. Frost, Esq.

PATTERSON BELKNAP WEBB & TYLER LLP
1133 Avenue of the Americas
New York, New York 10036
(212) 336-2000

Attorneys for Opposer Hasbro, Inc.



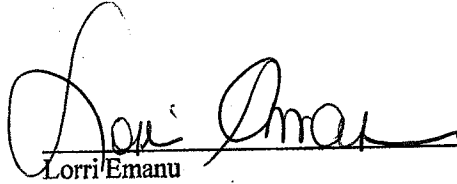
Wayne D. Porter Jr., Esq.

Law Offices of Wayne D. Porter, Jr.
1370 Ontario Street, Suite 600
Cleveland, Ohio 44113
(216) 373-5545

Attorneys for Applicant Creative Action LLC

ELECTRONIC MAILING CERTIFICATE

I hereby certify that the within **Stipulation to Amend Application and Dismiss Opposition and Counterclaims** is being submitted electronically through the Electronic System for the Trademark Trial and Appeal Board ("ESTTA") on this 19th day of July, 2011.


Lorri Emanu

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **STIPULATION TO AMEND APPLICATION AND DISMISS OPPOSITION AND COUNTERCLAIMS** was served by electronic mail this 19th day of July, 2011, on the following counsel for the Applicant:

Wayne D. Porter, Jr., Esq.
Law Office of Wayne D. Porter, Jr.
1370 Ontario Street, Suite 600
Cleveland, Ohio 44113
porter@porterpatentlaw.com

A handwritten signature in black ink, appearing to read "K. Landsman", written over a horizontal line.

Kim J. Landsman